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7 UNITED STATES DISTRICT COURT
8 NORTHERN DISTRICT OF CALIFORNIA
9 SAN FRANCISCO DIVISION
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11 UNITED STATES OF AMERICA,) No. CR 12-0052 EMC
12 Plaintiff,)
13 v.) ORDER DETAINING DEFENDANT
14 ANTHONY MCGEE,) PENDING TRIAL
15 Defendant.)
16

17 Defendant Anthony McGee is charged by indictment with a violation of 18 U.S.C.
18 section 922(g), felon in possession of a gun. He made his initial appearance on a complaint on
19 January 23, 2012. The United States moved for detention pursuant to 18 U.S.C. § 3142(f)(2)(A)
20 & (B) and the Court scheduled a detention hearing for January 27, 2012. The indictment was
21 issued on January 26, 2012. Defendant was arraigned on the indictment on January 27 and a
22 detention hearing was held. Defendant was represented by Rita Bosworth.

23 After considering the parties' proffers and evidence, the Court ordered that Defendant be
24 detained pending trial. The Court found by a preponderance of the evidence that a serious risk
25 exists that Defendant will flee, and by clear and convincing evidence that Defendant poses a
26 danger to the community and that, under 18 U.S.C. § 3142(e), no condition or combination of
27 conditions will reasonably assure his appearance or safety to others as required for the following
28 reasons, among others:

ORDER DETAINING
CR12-0052 EMC

1 1. Due to Defendant's status as a registered sex offender he may not reside in a half-way
2 house;

3 2. Defendant does not have--and has never had--stable employment, and he does not
4 have a stable residence.

5 4. Defendant has a long criminal history, including an eight-year sentence imposed in
6 May 2004. The police report for the incident leading to that conviction states that following a
7 robbery Defendant was found with a rifle and that he was suspected of several other robberies.

8 5. A parole search of Defendant's residence in February 2011 found drugs and a weapon
9 holster.

10 6. At the time of Defendant's arrest for the pending federal charge he was on state parole
11 and was monitored via ankle bracelet.

12 7. At the time of Defendant's arrest for the pending federal charge he reportedly fought
13 with and fled from the arresting officers.

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15 Based on the foregoing, the United States' motion for detention is GRANTED. IT IS
16 HEREBY ORDERED that Defendant be detained pending trial pursuant to 18 U.S.C. § 3142 and
17 is hereby committed for that purpose to the custody of the U.S. Marshal.

18 IT IS SO ORDERED

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20 DATED: February 1, 2012


JACQUELINE SCOTT CORLEY
UNITED STATES MAGISTRATE JUDGE